

SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
SENATE BILLS 750 & 966

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

AN ACT

RELATING TO HEALTH; REQUIRING MEDICAID REIMBURSEMENT FOR  
SERVICES PROVIDED BY A LICENSED CHIROPRACTIC PHYSICIAN,  
LICENSED DOCTOR OF ORIENTAL MEDICINE AND LICENSED DENTAL  
HYGIENIST.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2-12 NMSA 1978 (being Laws 1973,  
Chapter 376, Section 16, as amended) is amended to read:

"27-2-12. MEDICAL ASSISTANCE PROGRAMS.--

A. Consistent with the federal act and subject to  
the appropriation and availability of federal and state funds,  
the medical assistance division of the department [~~may~~] shall  
by rule provide medical assistance, including the services of  
licensed doctors of oriental medicine, licensed chiropractic  
physicians and licensed dental hygienists in collaborating

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1 practice, to persons eligible for public assistance programs  
2 under the federal act.

3 B. Subject to appropriation and availability of  
4 federal, state or other funds received by the state from public  
5 or private grants or donations, the medical assistance division  
6 of the department may by rule provide medical assistance,  
7 including assistance in the payment of premiums for medical or  
8 long-term care insurance, to children up to the age of twelve  
9 if not part of a sibling group; children up to the age of  
10 eighteen if part of a sibling group that includes a child up to  
11 the age of twelve; and pregnant women who are residents of the  
12 state of New Mexico and who are ineligible for public  
13 assistance under the federal act. The department, in  
14 implementing the provisions of this subsection, shall:

15 (1) establish rules that encourage pregnant  
16 women to participate in prenatal care; and

17 (2) not provide a benefit package that exceeds  
18 the benefit package provided to state employees."

19 Section 2. Section 27-2-12.3 NMSA 1978 (being Laws 1987,  
20 Chapter 269, Section 1, as amended) is amended to read:

21 "27-2-12.3. MEDICAID REIMBURSEMENT--EQUAL PAY FOR EQUAL  
22 PHYSICIANS', DENTISTS', OPTOMETRISTS', PODIATRISTS', LICENSED  
23 CHIROPRACTIC PHYSICIANS', LICENSED DOCTORS OF ORIENTAL  
24 MEDICINE'S, LICENSED DENTAL HYGIENISTS' AND PSYCHOLOGISTS'  
25 SERVICES.--The [~~human services~~] department shall establish a

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1 rate for the reimbursement of physicians, dentists,  
2 optometrists, podiatrists, licensed chiropractic physicians,  
3 licensed doctors of oriental medicine, licensed dental  
4 hygienists and psychologists for services rendered to medicaid  
5 patients that provides equal reimbursement for the same or  
6 similar services rendered without respect to the date on which  
7 such physician, dentist, optometrist, podiatrist, licensed  
8 chiropractic physician, licensed doctor of oriental medicine,  
9 licensed dental hygienist or psychologist entered into practice  
10 in New Mexico, the date on which the physician, dentist,  
11 optometrist, podiatrist, licensed chiropractic physician,  
12 licensed doctor of oriental medicine, licensed dental hygienist  
13 or psychologist entered into an agreement or contract to  
14 provide such services or the location in which such services  
15 are to be provided in the state; provided, however, that the  
16 requirements of this section shall not apply when the [~~human~~  
17 ~~services~~] department contracts with entities pursuant to  
18 Section 27-2-12.6 NMSA 1978 to negotiate a rate for the  
19 reimbursement for services rendered to medicaid patients in the  
20 medicaid managed care system."

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